

Please type a plus sign (+) inside this box

|   |  |  |
|---|--|--|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b>           |  | Attorney Docket No. <b>6518P002C</b>                                     |
|   |  | First Inventor <b>Khoi Nhu Hoang, et al.</b>                             |
|   |  | Title <b>Quality of Service Based Optical Network Topology Databases</b> |
|   |  | Express Mail Label No. <b>EV336585069US</b>                              |
| (Only for new nonprovisional applications under 37 CFR 1.53(b)) |  |  |

|  |  |  |
|--|--|--|
| <b>APPLICATION ELEMENTS</b>  |  | <b>ADDRESS TO:</b><br>Mail Stop Patent Application<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 |
| See MPEP chapter 600 concerning utility patent application contents  |  |  |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br><i>(Submit an original and a duplicate for fee processing)</i>  |  |  |
| 2. <input type="checkbox"/> Applicant claims small entity status.<br><i>See 37 CFR 1.27.</i>   |  |  |
| 3. <input checked="" type="checkbox"/> Specification <i>[Total Pages 60]</i><br><i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings <i>(if filed)</i></li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> |  |  |
| 4. <input checked="" type="checkbox"/> Drawing(s) <i>(35 U.S.C. 113)</i> <i>[Total Sheets 22]</i>  |  |  |
| 5. Oath or Declaration (signed) <i>[Total Pages 5]</i> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d))<br/> <i>(for continuation/divisional with Box 18 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/> <i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i></li> </ul> </li> </ul>   |  |  |
| 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76   |  |  |
| 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i>   |  |  |
| 8. Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all of the following are necessary)</i> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. Specification Sequence Listing on:           <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statements verifying identity of above copies</li> </ul>  |  |  |
| 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))  |  |  |
| 10. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney<br><i>(when there is an assignee)</i>   |  |  |
| 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>   |  |  |
| 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations  |  |  |
| 13. <input type="checkbox"/> Preliminary Amendment <input type="checkbox"/> Application Amended to Reflect Claim of Priority   |  |  |
| 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>  |  |  |
| 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>  |  |  |
| 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i).<br><i>Applicant must attach form PTO/SB/35 or its equivalent.</i>   |  |  |
| 17. <input type="checkbox"/> Other: _____  |  |  |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP)

of prior application No: **10/455,933**

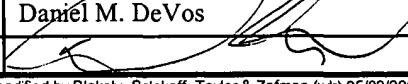
Prior application Information: Examiner \_\_\_\_\_

Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**

|   |           |                |  |                    |
|---|-----------|----------------|--|--------------------|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label |           | <b>08791</b>   | or <input type="checkbox"/> Correspondence address below |                    |
| Name  |           |                |  |                    |
| Address   |           |                |  |                    |
| City  | State     | Zip Code       |  |                    |
| Country   | Telephone | (408) 720-8300 |  | Fax (408) 720-8383 |

|                   |   |  |                                   |         |
|-------------------|---|--|-----------------------------------|---------|
| Name (Print/Type) | Daniel M. DeVos   |  | Registration No. (Attorney/Agent) | 37,813  |
| Signature         |  |  | Date                              | 1/23/03 |

15535 U.S. PRO  
10/626055

07/23/03

15541  
07/23/03  
U.S. PTO

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$ 2,496.00)

## Complete if Known

|                      |                |
|----------------------|----------------|
| Application Number   |                |
| Filing Date          |                |
| First Named Inventor | Khoi Nhu Hoang |
| Examiner Name        |                |
| Group/Art Unit       |                |
| Attorney Docket No.  | 6518P002C      |

## METHOD OF PAYMENT (check one)

Check  Credit card  Money Order  Other  None

Deposit Account

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity        |          | Small Entity        |          | Fee Description        | Fee Paid      |
|---------------------|----------|---------------------|----------|------------------------|---------------|
| Fee Code            | Fee (\$) | Fee Code            | Fee (\$) |                        |               |
| 1001                | 750      | 2001                | 375      | Utility filing fee     | <b>750.00</b> |
| 1002                | 330      | 2002                | 165      | Design filing fee      |               |
| 1003                | 520      | 2003                | 260      | Plant filing fee       |               |
| 1004                | 750      | 2004                | 375      | Reissue filing fee     |               |
| 1005                | 160      | 2005                | 80       | Provisional filing fee |               |
| <b>SUBTOTAL (1)</b> |          | (\$ <b>750.00</b> ) |          |                        |               |

### 2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Extra Claims    | Fee from below                   | Fee Paid |
|--------------|--------------------|-----------------|----------------------------------|----------|
| 75           | 12                 | 20* = <b>55</b> | X <b>18.00</b> = <b>\$990.00</b> |          |
|              |                    | 3* = <b>9</b>   | X <b>84.00</b> = <b>\$756.00</b> |          |
|              |                    |                 |                                  |          |

### Large Entity

| Large Entity        |          | Small Entity          |          | Fee Description   | Fee Paid |
|---------------------|----------|-----------------------|----------|---|----------|
| Fee Code            | Fee (\$) | Fee Code              | Fee (\$) |   |          |
| 1202                | 18       | 2202                  | 9        | Claims in excess of 20                                    |          |
| 1201                | 84       | 2201                  | 42       | Independent claims in excess of 3                         |          |
| 1203                | 280      | 2203                  | 140      | Multiple Dependent claim, if not paid                     |          |
| 1204                | 84       | 2204                  | 42       | **Reissue independent claims over original patent         |          |
| 1205                | 18       | 2205                  | 9        | **Reissue claims in excess of 20 and over original patent |          |
| <b>SUBTOTAL (2)</b> |          | (\$ <b>1,746.00</b> ) |          |   |          |

*\*\*or number previously paid, if greater. For Reissues, see below*

## 3. ADDITIONAL FEES

| Large Entity        | Small Entity | Fee Description  | Fee Paid |
|---------------------|--------------|--|----------|
| 1051                | 130          | 2051 65 Surcharge - late filing fee or oath  |          |
| 1052                | 50           | 2052 25 Surcharge - late provisional filing fee or cover sheet                     |          |
| 2053                | 130          | 2053 130 Non-English specification   |          |
| 1812                | 2,520        | 1812 2,520 For filing a request for ex parte reexamination                         |          |
| 1804                | 920*         | 1804 920* Requesting publication of SIR prior to Examiner action                   |          |
| 1805                | 1,840*       | 1805 1,840* Requesting publication of SIR after Examiner action                    |          |
| 1251                | 110          | 2251 55 Extension for reply within first month                                     |          |
| 1252                | 410          | 2252 205 Extension for reply within second month                                   |          |
| 1253                | 930          | 2253 465 Extension for reply within third month                                    |          |
| 1254                | 1,450        | 2254 725 Extension for reply within fourth month                                   |          |
| 1255                | 1,970        | 2255 985 Extension for reply within fifth month                                    |          |
| 1404                | 320          | 2401 160 Notice of Appeal  |          |
| 1402                | 320          | 2402 160 Filing a brief in support of an appeal                                    |          |
| 1403                | 280          | 2403 140 Request for oral hearing  |          |
| 1451                | 1,510        | 2451 1,510 Petition to institute a public use proceeding                           |          |
| 1452                | 110          | 2452 55 Petition to revive - unavoidable   |          |
| 1453                | 1,300        | 2453 650 Petition to revive - unintentional  |          |
| 1501                | 1,300        | 2501 650 Utility issue fee (or reissue)  |          |
| 1502                | 470          | 2502 235 Design issue fee  |          |
| 1503                | 630          | 2503 315 Plant issue fee   |          |
| 1460                | 130          | 2460 130 Petitions to the Commissioner   |          |
| 1807                | 50           | 1807 50 Prospecting fee under 37 CFR 1.17(q)                                       |          |
| 1806                | 180          | 1806 180 Submission of Information Disclosure Stmt                                 |          |
| 8021                | 40           | 8021 40 Recording each patent assignment per property (times number of properties) |          |
| 1809                | 750          | 1809 375 Filing a submission after final rejection (37 CFR § 1.129(a))             |          |
| 1810                | 750          | 2810 375 For each additional invention to be examined (37 CFR § 1.129(b))          |          |
| 1801                | 750          | 2801 375 Request for Continued Examination (RCE)                                   |          |
| 1802                | 900          | 1802 900 Request for expedited examination of a design application                 |          |
| Other fee (specify) |              |  |          |

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$)

## SUBMITTED BY

|                   |                        |                                   |               |           |                       |
|-------------------|------------------------|-----------------------------------|---------------|-----------|-----------------------|
| Name (Print/Type) | <b>Daniel M. DeVos</b> | Registration No. (Attorney/Agent) | <b>37,813</b> | Telephone | <b>(408) 720-8300</b> |
| Signature         |                        |                                   |               |           | Date <b>7/23/03</b>   |

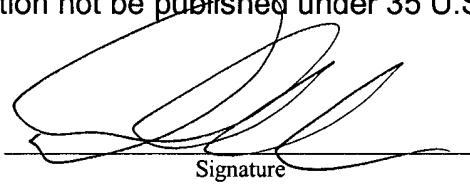
**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

|                        |   |
|------------------------|---|
| First Named Inventor   | Khoi Nhu Hoang  |
| Title                  | Quality of Service Based Optical Network Topology Databases |
| Attorney Docket Number | 6518P002C   |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

7/23/03  
\_\_\_\_\_  
Date



\_\_\_\_\_  
Signature

Daniel M. DeVos, Reg. No. 37,813

\_\_\_\_\_  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 112(b)(2)(B)(iii)).**